

Government Accountability Board

State of Wisconsin

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Recall Status Update: Extension Granted, Elections Proceed

MADISON, WI – Dane County Circuit Court Judge John W. Markson today granted the Government Accountability Board's request for an extension of time to consider recall petitions against three state senators. The effect of this is that the Board will comply with the judge's original order and move forward with recall elections on July 12 for six state senators whose petitions have already been considered.

Originally, Judge Markson had ordered the Board to complete its review and certification of recall petitions by today. However, the Board and its staff did not have enough time to consider the petitions against three senators: Senator Jim Holperin, District 12; Senator Robert Wirsch, District 22; and Senator Dave Hansen, District 30.

"We appreciate Judge Markson's recognition of the reasonableness of the approach the Board and its staff have taken to the enormous workload of reviewing more than 200,000 signatures and to evaluate hundreds of pages of petition challenges and rebuttals in a relatively short window of time," said Kevin J. Kennedy, director and general counsel of the G.A.B.

"While holding all the recall elections on the same date may be desirable from an election administration standpoint, the Board always anticipated that not all of the recall elections would be held on the same date because of the way Wisconsin's recall law is written," Kennedy said. "Both parties are making political calculations about the timing of elections, and that is not something our non-partisan Board should do. The judge noted that the impracticality of trying to set a single date for all the recall elections, given the likelihood of primaries and further court challenges by individual state senators."

Judge Markson let stand his original order of April 29 for the G.A.B. to issue certificates of sufficiency by today for the recall petitions against six Republican State Senators: Senator Dan Kapanke, District 32; Senator Randy Hopper, District 18; Senator Luther Olsen, District 14; Senator Sheila Harsdorf, District 10; Senator Robert Cowles, District 2; and Senator Alberta Darling, District 8. The Board considered those petitions at its meetings May 23 and 31.

Senators Kapanke, Hopper and Olsen have filed appeals of the Board's decision to certify the recalls in separate filings in Dane County Circuit Court, which have not yet been considered by the court. While it is possible that the date for those elections may be delayed by that litigation, candidates and election officials should proceed to schedule and prepare for the July 12 election until further notice.

The Board will meet on Wednesday, June 8, 2011, to consider the remaining three petitions. Any of the three petitions ruled to be sufficient will result in elections being scheduled for July 19, 2011.

Information about the recall process, including petitions, challenges and certificates of sufficiency, is available on the Board's website: <http://gab.wi.gov/elections-voting/recall>.

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The Government Accountability Board (G.A.B.) is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The G.A.B. is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members.